

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**FILED
IN CLERKS OFFICE**

2006 JUN 16 P 2:19

JULIA HEAVERN, et al.)	U.S. DISTRICT COURT DISTRICT OF MASS.
)	
Plaintiffs,)	
)	
v.)	
CAPITOL HOTEL COMPANY)	CIVIL ACTION NO.: 05-11170-MEL
(COURTYARD MARRIOTT),)	
)	
Defendant.)	
)	
)	

ASSENTED TO MOTION TO EXTEND DISCOVERY DEADLINES

Now come the parties in this action and hereby move this Court for an order extending the time to complete deposition discovery in this action for an additional Ninety (90) days until September 1, 2006. The parties further request that the Court amend all subsequent deadlines to correspond with the amendment of the discovery deadline. In support of their motion, the parties state as follows:

1. This is a personal injury action wherein the Plaintiffs sustained injury while swimming in Defendant's pool.
2. Depositions in this case are scheduled to be completed by June 1, 2006, Expert Disclosures are scheduled to be completed from the Plaintiffs on August 1, 2006, and from the Defendants by August 30, 2006, and the Pre-Trial Conference is currently scheduled for October 15, 2006.
3. Both parties have completed written discovery, however, defendant is having difficulty locating former employees for deposition purposes. Although deposition deadline was June 1, 2006, only some depositions have been completed. Defendant has been unable to produce several employees for deposition prior to that date.
4. The requested extension will afford the parties sufficient time to conclude their ongoing discovery activities, including the taking of remaining depositions.

5. The requested enlargement of time will not prejudice any party, nor require any substantial delay in this action.
6. Counsel for all parties have jointly agreed to this motion.
7. The foregoing constitutes good cause for extension of the time within which to complete depositions until September 1, 2006.

WHEREFORE, the parties respectfully request that this Court extend the discovery deadlines for an additional Ninety (90) days until September 1, 2006, and to amend, all subsequent deadlines to correspond with the amendment of the discovery deadline.

Respectfully Submitted,
The Plaintiffs,
By Their Attorney,



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ASSENTED TO:

The Defendant,
By Their Attorneys,



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DATED: June 15, 2006